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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,047	06/19/2007	Xingjun Wang	016687-9006-US00	2339
23409 7590 12/28/2009 MICHAEL BEST & FRIEDRICH LLP 100 E WISCONSIN AVENUE Suite 3300 MILWAUKEE, WI 53202				
EXAMINER				
HUSON, ZACHARY K				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/567,047

**Applicant(s)**

WANG ET AL.

**Examiner**

ZACHARY K. HUSON

**Art Unit**

2181

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 48-89 is/are pending in the application.
- 4a) Of the above claim(s) 64-67 and 79-85 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 48-63, 68-78, 86-89 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20060503
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 48 – 63, 68-78, and 86-89 are currently pending.
2. Claims 1-47 are canceled.
3. Claims 64-67 and 79-85 are withdrawn.

4. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

***Election/Restrictions***

5. Applicant's election of claims 48-63, 68-78, and 86-89 in the reply filed on 8/31/2009 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

***Claim Objections***

6. Claim 57 is objected to because of the following informalities: the term “comprises” in the second line of the claim is believed to be a misspelling of the word “comprises”, and will be treated as such for the purposes of examination. Appropriate correction is required.

7. Claim 68 objected to because of the following informalities: The term “the playback unit” in the 4<sup>th</sup> line of the claim lacks antecedent basis, there is a period at the end of the 6th line that should be a comma. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 48- 59, 61 - 62 86 – 89 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang (US 2004/0088456).**

**As per claim 48:**

Zhang discloses a data transport interface, comprising a transceiving unit, configured to receive and transmit data which accords with a USB (Universal Serial Bus) specification (Zhang: Page 1 paragraph [0019]); a detecting unit, configured to

detect the data received by the transceiving unit, to determine whether to convert the received data into data which accords with a particular specification (Zhang: Figure 12c); and a conversion unit, configured to convert the received data into the data which accords with the particular specification when determining that the received data should be converted into the data which accords with the particular specification (Zhang: Figure 12 block 128me), and configured to convert the transmission data which accords with the particular specification into data which accords with the USB specification for transmission via the transceiving unit (Zhang: Figure 12c block 128uc).

**As per claim 49:**

Zhang discloses the conversion unit comprises an unpackaging unit configured to unpackage the received data into the data which accords with the particular specification (Zhang: Figure 12c block 128me).

**As per claim 50:**

Zhang discloses the conversion unit comprises a packaging unit, configured to package the transmission data into the data which accords with the USB specification (Zhang: Figure 12c, block 128uc).

**As per claims 51 and 88:**

Zhang discloses the conversion unit comprises a packaging unit, configured to package the transmission data into the data that accords with the USB specification (Zhang: Figure 12c, block 128uc).

**As per claims 52 and 89:**

Zhang discloses that the particular specification is a MPEG specification (Zhang: Page 7 paragraph [0088]).

**As per claim 53:**

Zhang discloses a P/S conversion unit, configured to convert parallel synchronous transmission data which accords with the MPEG specification into serial asynchronous data which accords with the USB specification; wherein the data which accords with the USB specification includes an integer multiple of packets which accord with the MPEG specification (Zhang: Page 7 paragraph [0088]).

**As per claim 54:**

Zhang discloses a S/P conversion unit, configured to convert the received serial asynchronous data which accords with the USB specification into parallel synchronous data which accords with the MPEG specification (Page 7 paragraph [0090]).

**As per claim 55:**

Zhang discloses that any one of the data which accords with the USB specification and the data which accords with the MPEG specification comprises at least one of service data and control information, the control information being used to control operations of a device equipped with the interface (Zhang: page 7 paragraph s [0088] and [0090]).

**As per claim 56:**

Zhang discloses that the service data comprises at least one of audio data and video data (Zhang: Page 7 paragraphs [0088] and [0090]).

**As per claim 57:**

Zhang discloses that the control information comprises at least one of information for implementing PNP (Plug and Play) function, information on resource allocation and information on the transmission rate to be used (Zhang: Page 1 paragraph [0020]).

**As per claim 58:**

Zhang discloses that the control information may be transmitted in a data transfer mode of at least one of a bulk data transfer and interrupt data transfer in the USB specification (Zhang: Page 1 paragraph [0020]).

**As per claim 59:**

Zhang discloses a data transport interface, comprising a transceiving unit, configured to receive and transmit data which accords with a USB (Universal Serial Bus) specification (Zhang: Page 1 paragraph [0019]); a detecting unit, configured to detect the data received by the transceiving unit, to determine whether to convert the received data into data which accords with a particular specification (Zhang: Figure 12c); and a conversion unit, configured to convert the received data into the data which accords with the particular specification when determining that the received data should be converted into the data which accords with the particular specification (Zhang: Figure 12 block 128me), and configured to convert the transmission data which accords with the particular specification into data which accords with the USB specification for transmission via the transceiving unit (Zhang: Figure 12c block 128uc); wherein the particular specification is a MPEG specification (Zhang: Page 7 paragraph [0088]); and a processing unit, configured to perform at least one of playing, decrypting and storing the signals received via the interface (Figure 12c).

**As per claim 61:**

Zhang discloses that the processing unit comprises an audio decoding unit, configured to decode audio signals received via the interface, a video decoding unit, configured to decode video signals received via the interface (Zhang: Figure 12c); a playback unit, configured to play the decoded audio/video signals (Zhang: Figure 13b).

**As per claims 62 and 69:**

Zhang discloses that a control unit, configured to extract a control command from the signals received via the interface; wherein the playback unit plays the decoded audio /video signals according to the control command (Zhang: Figure 13b, block 138uP and Page 7 paragraph [0090]).

**As per claim 68:**

Zhang discloses that the processing unit comprises an audio decoding unit, configured to decode audio signals received via the interface, and to provide the decoded audio signals to the playback unit for playing (Zhang: Figure 13b); a video decoding unit, configured to decode video signals received via the interface, and to provide the decoded video signals to the playback unit for playing (Zhang: Figure 13b); a playback unit, configured to play the decoded audio/video signals received via the interface (Zhang: Figure 13b).

**As per claim 70:**

Zhang discloses that the control command further comprises EPG (Electronic Program Guide) information (Zhang: Page 6 paragraph [0074]).

**As per claim 86:**



Zhang discloses receiving data which accords with a USB specification (Zhang: Page 1 paragraph [0019]); detecting the received data to determine whether to convert the received data into processing data which accords with a particular specification (Zhang: Figure 12c); and converting the received data into the processing data which accords with the particular specification after determining that the received data should be converted into the processing data which accords with the particular specification (Zhang: Figure 12 block 128me).

**As per claim 87:**

Zhang discloses converting the transmission data which accords with the particular specification into converted data which accords with the USB specification and transmitting the converted data which accords with the USB specification (Zhang: Figure 12c block 128uc).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 60 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang as applied to claim 59 above, and further in view of Robertson (US 2001/0047441).**

**As per claim 60:**

Zhang is silent on a RF processing unit, configure to demodulate the RF signals received by the digital signal processing apparatus, to transmit the demodulated signals via the interface.

However Robertson teaches a RF processing unit, configure to demodulate the RF signals received by the digital signal processing apparatus, to transmit the demodulated signals via the interface (Robertson: Page 3 paragraph [0042]) so that communication can exist over a low cost, short range radio channel (Robertson: Page 3 paragraph [0042]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Zhang with the RF processing unit as taught by Robertson so that communication can exist over a low cost, short range radio channel (Robertson: Page 3 paragraph [0042]).

**As per claim 63:**

The modified Zhang is silent on the RF processing unit being configured to transmit the control commands.

However Robertson teaches the RF processing unit is further configured to transmit the control command (Robertson: Page 3 paragraph [0042]) so that communication can exist over a low cost, short range radio channel (Robertson: Page 3 paragraph [0042]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Zhang with the RF processing unit as taught by Robertson so that

communication can exist over a low cost, short range radio channel (Robertson: Page 3 paragraph [0042]).

**12. Claims 71 - 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang as applied to claim 59 above, and further in view of Eskicioglu (US 7254236, hereinafter referred to as Eskicioglu).**

**As per claim 71:**

Zhang does not specifically disclose an acquisition unit, configured to acquire a user key; a filtering unit, configured to filter the signals received via the interface, to obtain authorization information for a user; a decryption unit, configured to perform decryption on the authorization information according to the user key, to obtain a de-scrambling key; and a de-scrambling unit, configured to de-scramble the signals received via the interface according to the de-scrambling key.

However Eskicioglu teaches of an acquisition unit, configured to acquire a user key (Eskicioglu column 3 lines 29 – 49); a filtering unit, configured to filter the signals received via the interface, to obtain authorization information for a user (Eskicioglu: Column 3 lines 50 - 64); a decryption unit, configured to perform decryption on the authorization information according to the user key, to obtain a de-scrambling key (Eskicioglu: Column 3 lines 29 - 49); and a de-scrambling unit, configured to de-scramble the signals received via the interface according to the de-scrambling key (Eskicioglu: Column 3 lines 29 - 49) so that the user is able to unscramble the incoming video content (Eskicioglu: Column 3 lines 40 - 45).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Zhang with the acquisition, filtering decryption and descrambling unit along with the keys as described by Eskicioglu so that the user is able to unscramble the incoming video content (Eskicioglu: Column 3 lines 40 - 45).

**As per claim 72:**

The modified Zhang discloses that the descrambling unit sends the descrambling signals via the interface (Eskicioglu: Figure 2).

**As per claim 73:**

The modified Zhang discloses a communication interface module, configured to receive and transmit data which accords with a particular transport protocol (Zhang: Figure 13b).

**As per claim 74:**

The modified Zhang discloses the particular transport protocol comprises at least one of Ethernet transport protocol, Cable Modem transport protocol, SmartCard transport protocol, and wireless protocol (Zhang: Figure 13b, interpreting it as using a SmartCard protocol).

**As per claim 75:** The modified Zhang discloses that the de-scrambled signals are transmitted via the communication interface module (Eskicioglu: figure 2).

**As per claim 76:** The modified Zhang discloses a control unit, configured to generate control information according to a user requirement; wherein the control information may be transmitted via the interface (Zhang: Figure 3ab, and Page 2 paragraph [0031]).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZACHARY K. HUSON whose telephone number is (571)270-3430. The examiner can normally be reached on Monday-Friday 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Niketa I. Patel/  
Primary Examiner, Art Unit 2181

/Z. K. H./  
Examiner, Art Unit 2181